



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Atty Docket No. SWA-001US1)

In Re
Application of: Alaoui-Jamali et al.) Group: 1635
Serial No.: 10/069,386) Examiner: Whiteman, B.
Filed: September 12, 2002)
Entitled: REPLICATION PROTEIN A)
BINDING TRANSCRIPTIONAL)
FACTOR (RBT1) AND USES)
THEREOF)

DECLARATION PURSUANT TO 37 C.F.R. §1.132

Hon. Assistant Commissioner for Patents:

I, Moulay Alaoui-Jamali, hereby declare as follows:

1. I currently hold the position of Professor at McGill University (Montréal, CA). I am a named co-inventor on the above-identified application.
2. I have read the Examiner's rejection of the currently pending claims 2 and 4 under 35 U.S.C. § 112 first paragraph (as found in the Office Action mailed from the United States Patent and Trademark Office (USPTO) on July 22, 2005), in which the Examiner states that the claims fails to comply with the written description requirement on the ground that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. More specifically, the Examiner alleges that the limitation 'isolated or recombinant nucleotide sequence being from a human species is not supported by the specification as filed. In particular, the Examiner states that the application does not disclose that SEQ ID NO:1 is from a human species.
3. I provide herewith statements to the effects that SEQ ID NO:1 is indeed from a human species, that this can be inferred from the disclosure and that I, and my co-